FA No. 740 of 2001
(Old No. 387 of 1997)
Hon'ble B.C. Kandpal, J.
(Urgency Application No. 704 of 2006)

Heard learned counsel for the respondent on the urgency application and perused the affidavit filed in support thereto.

I find sufficient ground to allow the urgency application.

Accordingly, the urgency application is allowed. Put up the appeal for hearing today itself.

Learned counsel for the both the parties have submitted that since the controversy involved in the first appeal is squarely covered by a Judgment rendered by the Division Bench of this Court in the case of State of U.P. & another Vs Sri Devendra Date Chamoli passed in First Appeal No. 81 of 201 which was decided on 20.9.2004 along with other connected first appeals, hence the appeal in hand may be disposed of in the same terms.

In view of the aforesaid decision rendered by the Division Bench of this Court, the appeal is partly allowed. The compensation shall be paid to the respondent after making deduction 33-13% instead of 25% deduction. No order as to costs.

(B.C. Kandpal, J.)

11-12-2006
ASWAL